



Ernie Fletcher
Governor

LaJuana S. Wilcher
Secretary

Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Public Service Commission

211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40602-0615
Telephone: (502) 564-3940
Fax: (502) 564-3460

November 18, 2004

Honorable James M. Miller
Attorney at Law
Sullivan, Mountjoy, Stainback & Miller, PSC
100 St. Ann Street
P. O. Box 727
Owensboro, KY 42302-0727

RE: Case No. 2004-00365
Big Rivers Electric Corporation

Dear Mr. Miller:

The Commission staff has reviewed your response of November 15, 2004 and has determined that your application in the above case now meets the minimum filing requirements set by our regulations. Enclosed please find a stamped filed copy of the first page of your filing. This case has been docketed and will be processed as expeditiously as possible.

If you need further information, please contact A. W. Turner at (502) 564-3940, Extension 256.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell", written over a horizontal line.

Beth O'Donnell
Executive Director

BOD/jc

Enclosure

cc: Michael H. Core

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

OCT 25 2004

PUBLIC SERVICE
COMMISSION

In the matter of:)
)
The Application of Big Rivers Electric Corporation)
for a Certificate of Public Convenience and)
Necessity to Construct a 161 kV Transmission Line)
in Breckinridge and Meade Counties, Kentucky)

Case No. 2004-00365

RECEIVED

NOV 15 2004

PUBLIC SERVICE
COMMISSION

APPLICATION

Big Rivers Electric Corporation ("Big Rivers") files this application ("Application") pursuant to 807 KAR 5:120E Section 2, seeking a certificate of public convenience and necessity to construct a 161 kilovolt ("kV") transmission line that is more than one mile in length. In support of this Application, Big Rivers states as follows:

1. The applicant, Big Rivers, is a rural electric cooperative corporation organized pursuant to KRS Chapter 279. Its mailing address is P.O. Box 24, 201 Third Street, Henderson, Kentucky 42420. 807 KAR 5:120E Section 2(1)(a); 807 KAR 5:001 Section 8(1).
2. Big Rivers owns generating assets, and purchases, transmits and sells electricity at wholesale. Its principal purpose is to provide the wholesale electricity requirements of its three distribution cooperative members: Kenergy Corp., Meade County Rural Electric Cooperative Corporation ("Meade County RECC"), and Jackson Purchase Energy Corp. The distribution cooperatives in turn provide retail electric service to approximately 101,000 consumer/members located in 22 Western Kentucky counties: Ballard, Breckinridge, Caldwell, Carlisle, Crittenden, Daviess, Graves, Grayson, Hancock, Hardin, Henderson, Hopkins, Livingston, Lyon, Marshall, McCracken, McLean, Meade, Muhlenberg, Ohio, Union and Webster.
3. The articles of incorporation of Big Rivers are attached as Exhibit 1 to the Application of Big

FILED

NOV 15 2004

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

**PUBLIC SERVICE
COMMISSION**

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COMMISSION**

In the matter of:)
)
The Application of Big Rivers Electric Corporation)
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Necessity to Construct a 161 kV Transmission Line)
in Breckinridge and Meade Counties, Kentucky)

Case No. 2004-00365

**RESPONSE OF BIG RIVERS ELECTRIC CORPORATION TO NOVEMBER 1, 2004,
DEFICIENCY LETTER FROM THE PUBLIC SERVICE COMMISSION**

Big Rivers Electric Corporation ("Big Rivers") submits this response to the letter from the Public Service Commission ("Commission") dated November 1, 2004, rejecting Big Rivers' Application in this matter as deficient. Specifically, the Commission stated that insufficient information was provided on historical outages and on past, present, and future reliability, and that no references to industry standard guidelines were provided. In response, and as a supplement to its previous filings in this matter, Big Rivers states as follows:

1. Big Rivers proposes to construct a 161 kilovolt ("kV") transmission line that is approximately 17.3 miles in length and that is located in Breckinridge and Meade Counties, Kentucky. This line is required by public convenience and necessity as a back-up power supply source for Big Rivers Meade County substation. The Meade County substation serves seven Meade County Rural Electric Cooperative Corporation ("Meade County RECC")¹ distribution substations, which in turn serve approximately 9,800 retail customers. The proposed transmission line will provide a significant benefit to these retail customers by offering increased reliability.

¹ Meade County RECC is one of Big Rivers' three distribution cooperative members.

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November 9, 2004

Herbert M. O'Reilly
Attorney at Law
P. O. Box 539
Hardinsburg, KY 40143

Re: PSC Case No. 2004-00365

Dear Mr. O'Reilly:

This letter is in response to your October 21, 2004, letter requesting a public hearing and a copy of the application in the above-reference docket. This case is an application by Big Rivers Electric Corporation to build a transmission line in Breckinridge and Meade Counties.

While the Public Service Commission has assigned a docket number to this case, Big Rivers has not yet filed a complete application. Your request for a hearing has been placed in the official file, and the Commission will act on it when the application is complete. In addition, at that time the application will be accessible from the electronic file search page on the Commission's Web Page, http://psc.ky.gov/efs/EFS_Search.aspx.

Thank you for your interest in this matter. Please feel free to contact the Commission if you have further questions. The staff attorney assigned to this case is A.W. Turner, who may be reached at 502-564-3940, extension 256, or at aw.turner@ky.gov.

Yours truly,

A large, stylized handwritten signature in black ink, appearing to read "Beth O'Donnell".

Beth O'Donnell
Executive Director

cc: Parties of record

Ernie Fletcher
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November 9, 2004

Mr. David T. Wilson
Chairman of the Board
Meade County RECC
P. O. Box 489
Brandenburg, KY 40108-0489

Re: PSC Case No. 2004-00365

Dear Mr. Wilson:

This letter is in response to your October 20, 2004, letter expressing support for the application by Big Rivers Electric Corporation to build a transmission line in Breckinridge and Meade Counties. While the Public Service Commission has assigned a docket number to this case, Big Rivers has not yet filed a complete application. Once the application is complete, the Commission is required by KRS 278.020(8) to issue a decision in no more than 120 days. Your letter will be placed in the case file for the Commission's consideration.

Thank you for your interest in this matter. Please feel free to contact the Commission if you have further questions. The staff attorney assigned to this case is A.W. Turner, who may be reached at 502-564-3940, extension 256, or at aw.turner@ky.gov.

Yours truly,

A handwritten signature in black ink, appearing to read "Beth O'Donnell", written over a circular scribble.

Beth O'Donnell
Executive Director

cc: Parties of record

Ernie Fletcher
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November 9, 2004

Earl D. O'Reilly
315 Highway 1385
Hardinsburg, KY 40143

Re: PSC Case No. 2004-00365

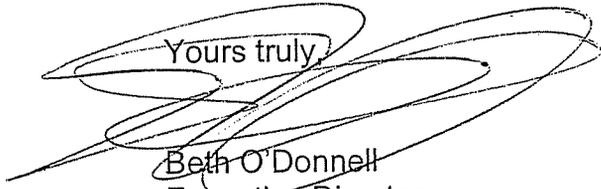
Dear Mr. O'Reilly:

This letter is in response to your October 22, 2004, letter requesting a public hearing in the above-reference docket. This case is an application by Big Rivers Electric Corporation to build a transmission line in Breckinridge and Meade Counties.

While the Public Service Commission has assigned a docket number to this case, Big Rivers has not yet filed a complete application. Your request for a hearing has been placed in the official file, and the Commission will act on it when the application is complete.

Thank you for your interest in this matter. Please feel free to contact the Commission if you have further questions. The staff attorney assigned to this case is A.W. Turner, who may be reached at 502-564-3940, extension 256, or at aw.turner@ky.gov.

Yours truly,



Beth O'Donnell
Executive Director

cc: Parties of record



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November 1, 2004

James M. Miller
Attorney at Law
Sullivan, Mountjoy, Stainback & Miller, PSC
100 St. Ann Street
P. O. Box 727
Owensboro, KY 42302-0727

Re: Case No. 2004-00365, Filing Deficiencies

Dear Mr. Miller:

The Commission staff has reviewed your application in the above case. This filing is rejected pursuant to 807 KAR 5:001, Section 2, for the reason set forth below. This item is either required to be filed with the application or to be referenced in the application if they are already on file in another case.

Filing deficiency pursuant to 807 KAR 5:120E:

- The facts relied upon to show that the proposed new construction is or will be required by public convenience or necessity.

The following comments are offered in support of the noted deficiency:

- Noted in the application as support item 16 are the statements:
 - "...the proposed line will serve as a second power source for the Big Rivers Meade County substation."
 - "These retail customers experienced outages as a result..."
 - "The backup power supply source will significantly reduce..."
 - "...will improve response time..."
- The facts put forth in the application to show that the proposed new construction is, or will be, required by public convenience or necessity focus on an attempt to show that the new line will adequately sustain conditions imposed by the loss of the existing 161 kV feed.
- No analysis, data or support are provided indicating the past, present or future reliability of the existing and proposed 161 kV feeds. No historical outage information is provided other than the 2004 interruption.
- No references to industry standard guidelines were given such as the observance to a MW-mile limit for a single contingency transmission source.

The statutory time period in which the Commission must process this case will not commence until the above-mentioned information is filed with the Commission. You are requested to file an original and ten copies of this information within 15 days of this letter. If you need further information, please contact Gary Grubbs of my staff at (502) 564-3940, Extension 412.

Sincerely,

A handwritten signature in black ink, appearing to read "Beth O'Donnell", with a large, stylized flourish at the end.

Beth O'Donnell
Executive Director

BOD/jc

cc: Michael H. Core